



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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523 E. CAPITOL AVE  
PIERRE SD 57501-3182  
danr.sd.gov

June 27, 2023

**NOTICE OF HEARING**

TO: John M. Hines, Attorney for McCook Lake Recreation Area Association  
Crary Huff Law Firm  
PO Box 27  
Sioux City IA 51102

Dakota Bay c/o Michael Chicoine  
32926 482<sup>nd</sup> Avenue  
Jefferson SD 57038

Ann Mines Bailey, Assistant Attorney General  
1302 East Highway 14, Suite 1 Pierre SD 57501-8501

David McVey, Assistant Attorney General  
1302 East Highway 14, Suite 1  
Pierre SD 57501-8501

FROM: Ron Duvall, Engineer III  
SD DANR, Water Rights Program

SUBJECT: Notice of Hearing to Consider Appeal of Prehearing Chair's Order Granting the Chief Engineer's Motion for Continuance in the Matter of McCook Lake Recreation Area Association's Petition for Declaratory Ruling

On June 22, 2023, Rodney Freeman, Prehearing Officer, issued an Order Granting the Chief Engineer's Motion for Continuance and Placing Request for a Special Meeting on the July 12, 2023 Water Management Board Agenda. Pursuant to South Dakota Codified Law 46-2-24, any ruling of the Prehearing Officer may be appealed by an affected party to the Board. In response to issuance of the Order, John Hines, attorney for McCook Lake Recreation Area Association, filed an appeal on June 26, 2023.

The appeal of the Order will be considered by the Water Management Board at 11:00 AM (Central Time) on Friday, June 30, 2023, via remote conference.

To connect remotely to the board meeting, you have one of the two following options. **Please note, if you intend to speak, the court reporter prefers that you participate using Option 1 so she can see you as you speak. This helps with the court reporter's ability to record the conversation.**

**June 27, 2023 NOTICE OF HEARING continued**

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**Option 1.** Audio/visual via Microsoft Teams. To be seen and heard requires a device equipped with a camera and microphone and an internet connection. No software install is necessary, the recommended web browser is Google Chrome or Microsoft Edge. To participate, start the browser and navigate to **<https://www.microsoft.com/microsoft-teams/join-a-meeting>**. When prompted, enter the following to join the meeting:

Meeting ID: 234 239 674 232

Passcode: a6jTUE

**Option 2.** Connect via audio only. Call 605-679-7263 and enter 749 563 105#

For those not participating but, who want to listen, a livestream of the meeting is available at <https://www.sd.net/>.

Notices, orders, and other pleadings filed in the matter of McCook Lake Recreation Area Association's petition for declaratory ruling are posted on DANR's contested case page at <https://danr.sd.gov/public/ContestedCase.aspx>.

Questions regarding this matter may be directed to Ron Duvall, Water Rights Program at (605) 773-3352 or [ron.duvall@state.sd.us](mailto:ron.duvall@state.sd.us).

## CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that a true and correct copy of a Notice of Hearing dated June 27, 2023, concerning an appeal of an Order dated June 22, 2023, in the matter of McCook Lake Recreation Area Association's petition for declaratory ruling, was served upon the following by enclosing the same in envelopes with first class postage prepaid and affixed thereto, and depositing said envelopes in the United States mail on June 27, 2023.

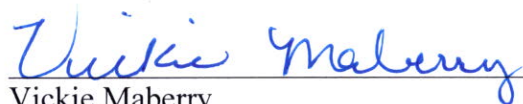
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**Above sent inter-office to:**

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Vickie Maberry  
Water Rights Program, DANR

STATE OF SOUTH DAKOTA     )  
  ) SS  
COUNTY OF HUGHES         )

Sworn to, before me, this 27 day of June, 2023.



Rachel Rodriguez  
Notary Public  
My Commission expires May 16, 2029

